

*1614*  
*JFW*

CERTIFICATE OF MAILING

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I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 20<sup>th</sup> day of September, 2004.

Typed or Printed name of person signing this certificate:  
Wendy A. Frick

Signed: Wendy A. Frick



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	Examiner: Not yet assigned
Schneider, et al.	)	
	)	
Serial No.: 10/045,673	)	Art Unit: 1614
	)	
Filed: November 9, 2001	)	
	)	
For: <b>AGENTS AND METHODS FOR PROMOTING BONE GROWTH</b>	)	Attorney Docket No.: 25080/04000
	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
Sir:

Transmitted herewith are the following:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449;
3. 11 References;
4. A check in the amount of \$180.00; and
5. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Supplemental Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: September 20, 2004

By: Pamela A. Docherty  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416



CERTIFICATE OF MAILING

I hereby certify this SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 20<sup>th</sup> day of September, 2004.

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This information disclosure statement is being filed after the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

REFERENCES

- The Applicants wish to make of record the references listed on the attached Form PTO-1449. copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

### **CERTIFICATION**

- Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- This information disclosure statement is being filed within three months of the filing of the within application and/or prior to a first Office Action on the merits being allowed.

### **PETITION**

- Applicants hereby request consideration of the attached information.

### **DEPOSIT ACCOUNT**

- A check is attached in the amount of \$180.00 required under 37 § 1.17(p).
- It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: September 20, 2004

By: Pamela A. Docherty  
Pamela A. Docherty, Reg. No 40,591  
(216) 622-8416



Subst. Form PTO-1449	Docket No.: 25080/04000	Serial No.: 10/045,673
APPLICANT'S INFORMATION DISCLOSURE STATEMENT		
Applicant: Schneider, et al.		
Filing Date: November 9, 2001		Group: 1614

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA						
	AB						

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AC						
	AD						

## OTHER PRIOR ART

	AE	Abstract - "The Effects of a Group of Novel Anabolic Peptides on Bone Density and Bone Strength in Adult Rats" by Schneider, et al., <u>J. Bone &amp; Mineral Research</u> , 2003, Vol. 18 (Suppl. 2) p. S275.
	AF	Abstract and Poster Presentation - "The Effects of Novel Anabolic Peptides on Bone Density and Bone Strength in Adult Rats" by Schneider, et al., ASBMR 25th Annual Meeting, September 19-23, 2003, Minneapolis, Minnesota.
	AG	Abstract F513 - "The Anabolic Effect of Vitamin D Binding Protein-Macrophage Activating Factor (DBP-MAF) and a Novel Small Peptide on Bone" by Schneider, et al., <u>Journal of Bone and Mineral Research</u> , 2001 Program and Abstracts, Twenty-Third Annual Meeting of the Society for Bone and Mineral Research, Phoenix Civic Plaza, Phoenix, Arizona October 12-16, 2001.
	AH	Abstract M26 - "A Novel Anabolic Peptide Activates Osteogenic Expression in Rat Stromal Cells" by Schneider, et al., The American Society for Bone and Mineral Research (ASBMR) May 24-25, 2004, Hyatt Regency Bethesda, Bethesda, Maryland.
	AI	Poster Presentation - "A Novel Anabolic Peptide Activates Osteogenic Expression in Rat Stromal Cells" by Schneider, et al., The American Society for Bone and Mineral Research (ASBMR) May 24-25, 2004, Hyatt Regency Bethesda, Bethesda, Maryland.
	AJ	Abstract - "pQCT Analysis of the Anabolic Effects of a Group of Novel Small Peptides on Bone in Intact Adult Rats" by Schneider, et al., <u>J. Bone &amp; Mineral Research</u> , 2002, Vol. 17 (Suppl. 1), p. S377.
	AK	Poster Presentation - "pQCT Analysis of the Anabolic Effects of a Group of Novel Small Peptides on Bone in Intact Adult Rats" by Schneider, et al.
	AL	"Effect of Pharmaceutical Bone Growth Stimulation with Novel Anabolic Peptides: Biomechanical and Bone Density Measurements in a Rat Model" by Askew, et al, Proceedings of IMECE'03, 2003 ASME International Mechanical Engineering Congress & Exposition, Washington, D.C., November 16-21, 2003.
	AM	Abstract - "The Anabolic Effect of Vitamin D Biding Protein-Macrophage Activating Factor (DBP-MAF) and a Novel Small Peptide on Bone" by Schneider, et al., <u>J. Bone &amp; Mineral Research</u> , 2001, Vol. 16 (Suppl. 1), p. S231.
	AN	Poster Presentation - "The Anabolic Effect of Vitamin D Biding Protein-Macrophage Activating Factor (DBP-MAF) and a Novel Small Peptide on Bone" by Schneider, et al.
	AO	"The Anabolic Effects of Vitamin D-Binding Protein-Macrophage Activating Factor (DBP-MAF) and a Novel Small Peptide on Bone" by Schneider, et al., <u>Critical Reviews in Eukaryotic Gene Expression</u> , 13(2-47):277-284 (2003).

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.